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6	UNITED STATES DISTRICT COURT
7	DISTRICT OF NEVADA
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9	ROGER BRENT DAVIS,
10	Plaintiff, 3:08-cv-00421-LRH-VPC
11	vs.) ORDER
12	HOWARD SKOLNIK, et al.,
13	Defendants.
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15	Plaintiff is a state prisoner proceeding <i>pro se</i> in this civil rights action pursuant to 42 U.S.C.
16	§ 1983. Before the court is plaintiff's motion for voluntary dismissal of this action (Docket # 8).
17	Pursuant to Rule 41(a)(1)(A), Federal Rules of Civil Procedure, a plaintiff may voluntarily
18	dismiss an action without court order by filing a notice of dismissal before the opposing party files
19	either an answer or a motion for summary judgment. Such a dismissal is without prejudice unless
20	the motion states otherwise. Fed.R.Civ.Pro. 41(a)(1)(B). Defendants have not yet appeared in this
21	action. Accordingly, the court will grant plaintiff's motion.
22	IT IS THEREFORE ORDERED that plaintiff's motion for voluntary dismissal of this
23	action is GRANTED (Docket # 8) and this action is DISMISSED WITHOUT PREJUDICE.
24	IT IS FURTHER ORDERED that all other pending motions is this action are DENIED as
25	moot.
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IT IS FURTHER ORDERED that the clerk shall ENTER JUDGMENT accordingly and **CLOSE THIS CASE.** Dated this 14th day of April, 2009. Elsihi LARRY R. HICKS UNITED STATES DISTRICT JUDGE